## A SPECK OF WAR.

Demand of the Spanish Minister for the Release of the Gunboats.

REFUSAL OF THE GOVERNMENT

Proposed Seizure of the Vessels To-Day by Order of the United States District Court.

#### Quasi-Recognition of the Cubans as Belligerents.

The people of this country will be startled this morning to ascertain through the columns of the BERALD that the relations of the United States with Spain are about to reach a crisis owing to the con-tinuance of the revolution in Cuba. Though as yet there need be no fear of a diplomatic rupture, at east not of such a nature as usually succeeds the occurrence of a casus belli, still the facts which save transpired since Saturday, and which are foreshadowed for to day, are a full warrant for say ing that the relations of our government with that of Spain have assumed such a delicate character that a decision one way or the other must now imperatively be reached. The suspense is about to come to an end and the oft repeated question, What will the government do with regard to Cuba ?" it is expected, will receive a decided answer to-day. What that answer is to be the following inhable, more so, in fact, than many similar newspaper reports usually are, will disclose.

The Spanish Minister at Washington received, in the course of last week, positive instructions from his government to make a formal demand in decided apon the Secretary of State, Mr. Fish, for the immediate release and delivery to him, on behalf of Spain, of the thirty gunboats which have been built partly in this city and partly at Mystic, Conn., and all of which are now lying in the East river, in this harbor, opposite the foot of Thirteenth street, receiving their fittings and machinery. The Spanis representative at once proceeded to comply with his nstructions, and on Friday last, at an interview which he sought with Secretary Fish, he presented to that gentleman a document containing the de mand he was instructed to make.

This, it should be said, is no mere idle rumor, and although the document is religiously watched over in the Department of State, or rather in the President's private office, and its precise language cannot be given, yet so much is certain, that the demand was so formal, couched in such terms, that but the alternative was left our government eitner at once to accede to it and surrender the gunboats to the representative of Spain, or apply to the proper judicial tribunals of the country to have the character of these vessels determined by legal pro-ceedings and under the law of the land. To surider the gunboats without a judicial inquiry, is was felt by all the members of the administration, and by none more so than by President Grant, was naterly out of the question. The general sentiment whole country is in sympathy and accord with the revolutionary movements in Cuba, tending to sever the connection of the Island with Spain a a dependency and to erect it into an independent republic, gravitating with undentable certainty towards the United States. Hence public opinion would have revolted against such a submission to the demands of Spain as the surrender of the guncompetent jurisdiction. That alternative was, therefore, not only inexpedient and impracticable, but wholly impossible, in view of the present state of the public mind on the Cuban question.

The other alternative was a judicial investigation.

It will be recollected that towards the close of last summer the Peruvian representative at Washington called the attention of the government officially to the fact of the building of these gunboats for the Spanish government; that there was a "dormant" state of war existing between Peru and Spain, and that actual hostilities between the two countries might at any moment be resumed, and that there was probable cause to believe that these gunboats building in the United States, specially designed and adapted for coast service, might be used against the republic of Peru, a State with which the United States were at peace. Upon this statement, so for-mally and officially made with a view of calling upon our government to interfere in the matter and to execute the neutrality laws, the President ordered the United States Marshal of this district to seize the boats and prevent their departure until cuted and the boats seized, as was fully detailed in these gunboats were thus taken under the charge of being completed and fitted for sea, and work upon em has been uninterruptedly continued since, until now several of them are ready to sail and all

the rest are preparing soon to follow.

The seizure of these boats, at the time it was made last summer, was, it may be said, extra-judicial and in direct obedience to the President's orders. No warrant of seizure was issued by any judge or commissioner of the federal courts; no case was made for a judicial inquiry and none was had. The Marshal kept strictly within his instructions from Wash ington, kept a close eve upon the vessels to prevent any of them from leaving port without permission of the government, but in all other respects he kept sloof from interference with the builders and con

Spain for their immediate release and delivery, the affair has assumed quite a different, more important. more serious aspect. It is believed, for such has long ago been reported as the intention of the Spanvernment, that the latter has given the most solemn assurances that the vessels will not be used egainst Peru when leaving the United States. If that be the case, then the government cannot any longer hold them back under the extra-judicial pro ceeding and without any decisio or order of a court of law. This complication of the case called for the most serious consideration on the part of the Presihere come in the facts, the consequences of which will be developed in the course of to-day.

A special despatch from Washington to the HERALD, published on Sunday last, informed the public that Judge Edwards Pierrepont suddenly arrived at the capital on Saturday morning and as ddenly departed again for New York in the evening; that during the present week some very imporministration was resolved to act at last in regard to Cuban affairs had something to do with his visit to

The statements in this despatch, though more or less hypothetically given, were based on well-grounded facts. Soon after the Spanish Minisfor the delivery of the gunboats it was communicated to the President. A short consultation was had between him and several of the Secretaries, and Judge Pierrepont was at once telegraphed for The Judge received the call late in the afternoon on Friday last, and without any unnecessary delay he burried of in the night train to Washington, where he drove straight to the White House and remained in conference with the President, Secretary Fish and at this conference only those who took part in it know, and they are not the persons to divulge it. But so much may be said, that none now doubt that at this conference matters were discussed fraught with the highest importance for the immediate

Without direct knowledge of the character of the conversation which passed, or the arguments used or the facts stated at this conference, which, after all, were only secondary matters, the conclusions reached by it may be gathered from the fact that the government is determined not to comply with the demand of Spain for the release and delivery of the

Spanish gunboats in this harbor, but to submit the case to the United States District Court, sitting as a court of admiralty and maritime jurisdiction, pre-sent all the proofs in the possession of the govern-ment, and have the international character of the vessels in question and their status under the neutrailty laws of Congress fully and authoritatively determined. For this purpose Judge Pierrepont has been instructed, in his official capacity as United States District Attorney, to institute proceedings at once in admiralty against the thirty Spanish gun-boats, and to obtain heir forieiture to the United States for a breach of the neutrality laws.

These instructions reached the District Attorney rhese instructions regimed the District Actories, yesterday morning by blegraph from Washington, and all the afternoon and evening Judge Pierrepont and some of his assistants and clerks were bunity employed in the preparation of the necessary complaints, called in the polinical paraseology of the law "libeis," against trees bouts. These libeis or complaints will be presented to the United States District Court, sitting in admiralty, this morning. Writs of seizure and notices to the interpleaders, if there be any, will be issued, and in the course of the session of the Spanish funboats, subject to the fina

The most important part of this cou proceeding are the grounds on which the govern-ment rests its claim to the forfeiture of the vessels. The libers will be based upon the third section of the act of Congress of April 20, 1818, commonly known as the Neutrality act, which reads as fol-

That if any person shall, within the limits of the United States, fit out and arm, or attempt to fit out and arm, or procure to be fitted out and armed, or shall knowlingly be cencerned in the furnishing uting out or arming of any ship or vessel with intent that such ship or vessel shall be employed in the service of any lorega prince or State, or of any colony, distinct or people, to cruise or commit hostinities against the subjects, citizens or property of any loregap prince or State, or of any colony, distinct or people, with whom the United States are at peace, or shall issue or deliver a commission within the territory or jurisdistion or the United States for any ship or vessel, to the intent that she may be employed as aforesaid, every person so offending shall be deemed guilt of a high mademenant, and shall be fined not here than \$10,000, and impresoned not more than three-years; and every such ship or vessel, with fire tackle, appared and furniture, together with all taterines, arms, amusunation and stores, which may have been procured for the building and equipment thereof, shall be forfested; one naft to the use of the United States.

On reading this section of the law it will have

On reading this section of the law it will have been noticed that it pionibits and punishes the fit-ting out of vessels by a "foreign prince or State, colony, district or people, to cruise or commit hostill-ties against the subjects, citizens or property of a "colony, district or people" with whom the United States are at peace. The addition of the words colony, district or people," of such high signification at the present moment, was made because the ity laws, which had not these words-especially in ding case of Gelsten vs. Hoyt-gave rise to many inconveniences arising out of the long pro-tracted revolutionary wars of the Spanish colonies in America against Spain. It, is now determined and Judge Pierrepont is preparing, to take advantage of these words of the law, and hence the "libel" by the government against the thirty gunboats will allege two grounds for their seizure and

First-That they are intended to be used against a foreign State, with whom the United States are a peace, to wit-the republic of Peru; and

Second-That they are intended to cruise and commit hostilities against the citizens and property of a colony or people with whom the United States are at peace, to wit the colony or people of the

In the latter clause lies the great importance of the step resolved upon for to-day. It draws a clear distinction between the "foreign State," Spain, which fitted out the vessels, and its "colony," the people of Cuba; it segregates, as it were, Cuba, the colony and its people from the state of which it is a colony, and, in effect, places both upon an equal footing as regards the rights of beligerents

in a neutral country. Hence, though not in express terms, it is in ultimate results, and may be called a quast recognition of the Cubans as belilgerents; for by this act the government of the United States declares unreservedly, that this country being at peace with "the people of Cuba," they have certain rights in our ports which this government, under the law, is bound to protect, whether they are sought to be intringed by Spain or by any other "foreign" prince or State. It is for these reasons that the conclusions arrived at by President Grant and the administration and the action to be taken to-day assume unusua! proportions in an international aspect; for Spain will undoubtedly consider it an "unfriendly act" on the part of this government thus to separate the people of a colony from the sovereign, and to declare that, being at peace with that "people," they should not be mo lested or subdued by means of vessels of war fitted out by their own sovereign in American ports.

The Spanish never dreamed that our government would pursue such a course. They were sure that a mere demand, made in a formal way, would at once lead to the delivery to them of their vessels. They had made all preparations to take them out of port in the course of the present week. The armament been shipped from here some time ago, and is already in Havana awaiting the arrival of the gunboats to a Spanish war steamer, the Pizarro, carrying six of Spanish sailors and marines, with the necessary officers, to man the boats. These forces of Spain, it was reported at the District Attorney's office were landed yesterday afternoon and are now in this city, preparatory to be ordered on board the vessels to take them to Cuba. The fact that these forces have arrived here just about the time the Spanish Minister at Washington made his demand shows it to have been a preconcerted movement, and also that the Spanish authorities feared no refusal to their demand, otherwise they would have twice bethought themselves before they undertook to make the city of New York a Spanish naval station from whence to operate and carry on hostilities against the people of Cuba, with whom

the United States are at peace.

The proceedings to be instituted to-day will be in admiralty only, known in law as "proceedings in rem, or against the things seized—that is, the els-and the judgment, if it be favorable to the views taken by the government, will be a decree of forfeiture of all the thirty gunboats to the United States for a breach of the neutrality laws. At present it is believed not to be the inten ion of the federa authorities to prosecute criminally any of the persons concerned in the building or fitting out of these vessels; but what subsequent developments may bring forth cannot now be foretold

District Attorney Pierrepont's Recent Visit to Washington-Confirmation of the Report of the Seizure of the Spanish Cambonts in New York-How Spain May Look Upo It-The Object of Increasing Our Naval Forces in the West Indian Waters.

WASHINGTON, Nov. 22, 1869. Part of the business of District Attorney Pierre pont in this city last week was to consuit with the President and members of the Cabinent about the Spanish gunboats being built at New York and in Connecticut. It had been ascertained that these boats were about completed, and that an effort would soon be made to get them to ses. The matter, it is understood, was the subject of considera tion in the Cabinet last Friday, when it was decided that the boats should not be allowed to leave. Judge Pierrepont was fully informed as to the wishes of the government and ordered to take the proper steps to prevent their departure. A libel will be flied against the boats at once, and they will probably be seized by the United States Marshal this week. Besides the old charges preferred against the gunboats by the Peruvian Minister, it is said some new ones have been added. Altogether the government, it appears,

finds sufficient grounds for seizing the boats. In some quarters it is feared this step may lead to that the Spanish government regarded the detention of the poats in the first instance as a stretch of authority hardly warranted by either our neutrality laws or international law. It was construed as a

was argued by the Spanish government that the gunboals were not intended for Peru, but for guadous were not intended for Pera, but fol Cubs. But to this the Peruvian Minister replied that the Spaniards propose to relieve the feet now assembled in Cuban waters from duty there, and, replacing it with the gunboats, send it down to Peru. This would be worse for the Peruvians than to allow the gunboats to go direct to their shores, because the fleet off Cuba is capable of ere damage than the gunboats.

There is reason to believe that the course now to be pursued by our government has been determined upon for some time back, and should it lead to any difficulty with Spain everything will be in rea to meet it. It is currently reported in quarters usually well informed that the assembling of so many of our first class naval vessels in West India many of our first class haval vesses in recommendation waters was with a view to any emergency that might arise out of this seizure of the gunboats. It remains to be seen what course the Spanish government will take; but whatever it may do, there is good authority for stating that the gunboats will be firmly held by our government.

#### THE KENNEDY-CRAWFORD IMBROGLIO.

The Alleged Chautauqua County Burglar-Examination into the Case Resumed-Sur tendent Kennedy in Court-The Relator and the Saperintendent Examined-Interesting

Yesterday afternoon the further hearing in the matter of the habeas corpus issued in behalf of John Crawford, alias Luke Eagan, and of the contempt proceedings against Police Superintendent Kennedy, was resumed before Judge Cardozo at Chambers of the Supreme Court, Superintendent victim of his official interference. A good deal of interest was manifested in the proceedings judging from the audience that filled the court room, and freely and fully canvassed the affair for some time prior to the opening of the evidence.

The first witness examined by Mr. Howe was Alexander O. McGrew, who testified:—On the 12th of this month I was at Police Headquarters, No. 300 Mulberry street, and saw a man there who went by the name of Crawford, or Luke Eagan; he was sitting in a chair in a room adjoining that of Mr. Kennedy I was there when the prisoner was brought before the Superintendent; Captain Walsh said that the warrant was irregular, that it lacked the proper en dorsement and that he wanted the prisoner to go before a magistrate; Mr. Kennedy was considerably excited, and gave orders for the removal of the prisoner beyond the county limits; there was some

excited, and gave orders for the removal of the prisoner beyond the county limits; there was something said about Jersey: I understood him to
say, "Even if the prisoner had to be taken
into Jersey to take him out;" this was between
half-past ishe and ten in the morning; the prisoner
rose in his seat and said he was not Luke Eagan,
that his name was Crawford, and that assertion was
also corroborated by one or two of the detective
officers in the room, and, I believe, by Captain
Walsh; the prisoner also demanded that he should
be taken before a magistrate; I don't know that the
Superintendent made any reply, but he appeared to
be very auxious to get him out of the county; he
said, "Take him out of the county—have him without the boundary of the county within half an
hour;" then hir, kenneny asked Captain Kelso to
detail two officers to go with him.

On being cross-examined by Mr. Vanderpoel the
winess' direct evidence was not shaken.

John Crawford, the relator, was then placed on
the stand and examined by Mr. Howe as foliows:—
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John Crawford, the relator, was then placed in
the newspapers. J. C. Farrell is my name; I was arrested in this city a week ago last Thursday night,
outside Florence's saloon, corner of Broadway and
thouston street, at about eight o'clock, by a policeman; I was taken to the Fourcenth precinct staton house, over when Captain W

account of himself. His direct testimony was not materially affected.

Abraham H. Hummell, law pariner of Mr. Howe, was examined, and identified the writ of habeas corpus shown him as the one procured for service on Mr. Kennedy in this case; the writ was granted by Judge Cardozo quite early on the morning of the lith; it might have been about nine o'clock. Cross-examined by Mr. Vanderpoel,—Served the writ about ten o'clock at night; got out a writ and went to serve the same on Captain Waish about eleven o'clock in the day; I did not see him; ti might have been between hait-past eleven and one; I then, about one o'clock, went to police head-quarters, but did not see Mr. Kennedy, wanted to gen the might be dead of the day in the police head-quarters, but did not see Mr. Kennedy, wanted to gen the might be dead of the day in the police head-quarters, but did not see Mr. Kennedy, wanted to ge the might be dead of the day in the police head-quarters, but did not see Mr. Kennedy, wanted to

one; I then, about one o'clock, went to police head-quarters, but did not see him; they told me he was not in his office.

John A. Kennedy, the respondent, exam'ined by Mr. Vanderpoel.—I am Superintendent of Police in this Meiropolitan district; I recognize the prisoner as the man that was brought in by Captain Waisin; he claimed then to be John Crawford; he did not claim to be John Parrell; the first I heard of this man was within a few minutes of nine on the morning of the 12th, when the Sheriff of Chautauqua county came in and told me there was a dimculsy between him and the police of the Fourteenth precinct; I telegraphed for the prisoner, and he was brought to my office; he arrived there about half-past nine o'clock; Captain Waish came with him, and the patrolman who made the arrest; Mr. Andrews, the Sheriff, of Chautauqua county, was there, and his assistant; they both of them told me thus was the man mentioned in the warrant; Captain Waish told me that this man was not Luke Eagan, but that he was another man who resembled Luke Eagan very much; the Sheriff said he had no doubt about his being the man he wanted, whether that was his real nague of not; Captain Waish and Captain Jourdan had seen him the night before and said that was not Luke Eagan; the Captain waish and Captain Jourdan had seen him the night before and said that was not Luke Eagan; the Captain was held that had not half a dozen names, and if the man was identified by the Sheriff should have the man; I was also anxious to releve my captain from an embarrassed situation, that I regarded him to be in, because he had arrested a man on a warrant from a magnetrate in another coming and had not had the warrant property endorsed; after I had given the man into the cushody of the Sheriff in leard some tak of stealing him, and I called on Acting Captain Kelso to furnish a projection; I had not up to this heard anything about an application for a habeas corpus; I heard nothing of it until about ten o'clock at night, when I was in the Ladies' Union Fai

ontempt.

Mr. Vähderpoel replied, contending that to punish a person for contempt there must be notice that the process was in existence before the party could be aleged to be in contempt.

Judge Cardozo took the papers and stated that he would render a decision as soon as he had an opportunity of reading over the testimony.

## BLOORY AFFRAYS AMONG SPORTING MEN.

Early on Sunday morning two desperate affrays, it is reported, took place among "sporting" men, at two "sporting" houses in the Fifteenth precinct. In It is reported, took place along spotting two "sporting" houses in the Fifteenth precinct. In the first instance it seems that one Jerry Coffee became involved in an altereation with the well known Dan Kerrigan, and as the melee progressed drew spistol, with easily inferred intent. The weapon was, however, snatched from his hand, and the row proceeded, when Kerrigan placed his opponent hors de combat by a terrific blow on the head with an "indian club," Coffee is understood to be in a dying condition. The other affray is said to have taken place in John Murray's saloon in Amity street, between Broadway and Mercer street, several persons being involved in the contest. Murray, the proprietor, it appears, interestered, when one "Goolly" Keyes, a reputed "Broadway statue," shot Murray in the neck. The police profess to know nothing about either affair, and of course the parties concerned refuse to state anything regarding the matters. The rumors were open and notorious yesterday, but up to one o'clock this morning nothing could be learned of the "trouble" at the Central Police Office.

# WASHINGTON.

Probabilities of a Future Darien Ship Canal.

SURVEYS TO BE COMMENCED AT ONCE.

The United States to Control the Commerce of the Canal.

Etiquette Between Our Navy and Our Representatives Abroad.

Minister. WASHINGTON, Nov. 22, 1869.

Resumption of Specie Payment-Au Absurd

Presentation of the New Haytien

Financial Canard. one of the opera bouffe journals of New York yes terday morning is as nonsensical as several other efforts of the same kind which previously appeared. The despatch emanated, as is stated, "from semi official authority." The Secretary of the Treasury very aptly asked, in speaking on the subject, what constituted semi-official authority? No very clear definition being given to the expression, the Secretary observed that he thought semi-official meant body outside of the Department who did not know what he was talking about. The Secretary

led that he had ever talked on the subject to any one, and declared that he had not laid out any such programme as that mentioned in the bogus de spatch. He considered it useless to be troubling about specie payment until the time comes when such a thing will be feasible. Malicious Attacks upon the Turkish Minister.

Biacque Bey, the Turkish Minister, has become re the object of attacks from some obscur papers, prompted thereto by the bogus agent of a bogus government in Europe. The cause upon which these attacks are based is the most puerile that can be imagined. Last summer the tinguished Minister who represents the Sultan in this country hired a handsome cottage at the White Sulphur Springs, Va., and with his accomplished weeks there, during which time he was visited by all the notables gathered in the vicinity. Among those who paid their respects were General Lee General Beauregard, and other individuals who took prominent part in the late rebellion. M. Blacque received all with indiscriminating hospitality. As host be saw neither Nor.h nor South, nor East nor West, All were welcomed alike, and left his he pitable abode highly impressed with the amounts qualities of the Minister and his lady. For f is rea son, because he saw it to treat with the same respect representative men of the North and the South, M. Blacque has been foolishly accused, not of sympathizing with the rebellion, but of approving some of the vile acts of a few of the leaders of the Contederacy. For the benefit of those who don t know M. Biacque it may be proper to state that there is no truer friend of our government than he, none who admire more our free institutions,

Reduction of Estimates of the War Department.

It is understood that Secretary Beiknap not long

since sent requests to the heads of the different bureaus of his department to reduce the amount of their estimates and as far as practicable to cut down the force of employes. Almost without exception the bureau officers replied that their estimates were already below what was actually required and that, therefore, they would prefer to raise rather than reduce them; as to cutting down their working force they consider that is about equally impracticable. it is said that in his report Secretary Belknap will recommend considerable reduction in his department, notwithstanding the protests of his s

Presentation of the New Haytlen Minister. was introduced to the President by the Secretary of remarks of which the following is a translation:-

remarks of which the following is a translation:—
Mr. President—I have the honor to hand to your Excellency the letter which accredits me to you as Minister Pienipotentiary and Envoy Extraordinary of the government of Hayti. The great triumpus for humanity which have been achieved of late years in this hemisphere, and which are mainly due to the aborious and uniting efforts of American philanthrophy, the intelligence and indomitable energy with which your illustrious predecessor, Abraham Lincoln, and the present administration have conscruted them in the statutes of this great people of the United States, and in its policy render it henceforth more obligatory upon the republic of Hayti than upon the other nations of the world, and particularly gratifying to be represented near the government of Washington. The exalted philanthrophy and the readiness to make amends to a race formerly ampressed in the confirmative trees. erminent of washington. The exaited philanthrophy and the readiness to make amends to a race formerly oppressed in this country, those noble principies which have led your administration, Mr. Pressident, to select a man of that race to represent the great and powerful republic of the United States in the republic of Hayti, have awakened in the hearts of all Haytiens who eagerly desire the advancement and elevation of their race a just sentiment of admiration and gratitude. President Sainave, as Chief Magistrate chosen by the nation, has instructed me to bear witness to your Excellency how highly he appreciates this token of esteem and consideration shown to our race. He entertains in consequence the highest hopes for the extension of the relations and the mutual good feeling and sympathy which must henceforth exist between the two countries. For my own part, Mr. President, I congratulate myself, and feel proud that Providence has caused the choice of President Sainave to fall upon me to be the interpreter of feelings which I so carnestly shape myself towards the people of the United States in general and your administration in particular. You may rest assured, Mr. President, that my efforts in the position which ministration in particular. You may rest assured, Mr. President, that my efforts in the position which law's the honor to fill near your government will always tend to strengthen and consolidate the harmony which already so happily exists between the government of the United States and that of Hayti. The President replied as follows:—

The President replied as follows:—

GENERAL.—If any proof were wanting of the unfounded character of the prejudice which, until recently, prevaled at least in different parts of this country against the race from which you are sprung, it might be found in the high tone and poushed style of the remarks you have just uttered. That, how ever, like all similar prejudices, no matter how deeply implanted, must sooner or later yield to the force of truth. The throes by which the new birth here was accomplished were indeed agonizing, and their effects even now are scarcely over. Frovident statesmen, however, have neglected no fit opportunity for sanctioning and securing by law those privileges for your kinsmen which have been the inevitable and natural result of our great civic convaision. Among them is their right to employment acroad as well as at home in the public service, a right which, as you say, has been acknowledged by the appointment of one of the formerly proscribed race to represent the United States in Hayti. I congratulate myself for this occasion to render homage to the change in public sontiment adverted to by receiving you, as I cordially do, as the first Envoy extraordinary and Minister Pleinpotentiary from that republic. that republic.

Treaty with France-French Opposition to Chenp Postage. Senator Ramsey, of Minnesota, who was

over to negotiate a postal treaty with France, arrived here to-day. The opera bought journals which have commented so fiercely on the action of the administration for sending Mr. Ramsey to France to negotiate the treaty instead of committing it to the care of the United States Minister accredited to that country, do not seem to be aware of the fact that an American Minister has never negotiated such a treaty, that duty always naving been assigned to a special agent. Senator Ramsey's failure was owing to the fact that he refused to make concessions to the French governmen which would have been disadvantageous to the United States. He found the French Postmaster General willing to agree to his terms, but it appears that that official is subordinate to the Minister or Finance, and could not, therefore, carry out his own wishes The Minister of Finance was opposed to reducing the rates of postage, on the ground that it would curtail his revenue and reduce the amount of his budget. was to the advantage of France, as well as the established. The Senator's argument was that we import from Paris alone about \$40,000,000

aces and other gewgaws that we can do without. "Now," said Ramsey, "it would be better for us not to have this trade at all but you could bly diminished after the expiration of our present postal treaty." The existing treaty, which was made in 1857, expires on the 1st of January next. The present rate of postage is thirty cents for half ounce letters to France, while it is only ten cents to Germany and cents to England. All the European Powers anxious to have the United break off its postal relations with France, so that the rates of that nation may be generally reduced. Thus far all other nations have been unable to negotiate a postal treaty with France at reasonable rates, and they think if the United States succeeds in its efforts they will all benefit by it. Senator Ramsey's proposition was ten cents for half ounce letters, each country to collect on its own side, and he was willing to concede twelve cents, but the French would not hear to this. Ramsey's, it appears, is not the first failure. Some time ago Mr. Kasson, of lows, was sent over for the same purpose and failed. It is thought that the incon veniences arising from the expiration of the present treaty will bring the French officials to their senses Conflict of Authority Between the Diplomatic

and Naval Corps.

The investigation of the Sub-Committee on Foreign Affairs into the Paraguayan matters has, it is said, developed the fact of a long standing difference between our diplomatic and naval corps abroad, involving the question of ultimate authority. committee have accordingly resolved to summon before them Vice Admiral Porter and Second As-Secretary of State Hunter to give testimony on each branch of the question as to the theory and practice of our diplomatic representatives and navai officers in the discharge of their official conduct while in foreign amination concerns the charge that naval officers have acted independently of, or have not consulted the views of our diplomatic representative in important public matters, which should secure co-operation or unity of action. The investigation will, it is thought, lead to such definitive regulations as will insure this destrable

The Darien Ship Canal.

The Secretary of the Navy has detached the United Stated steamer Nipsic, Commander Selfreige, to superintend the survey of the most direct route across the Isthmus of Darien for the proposed ship canal provided for by the treaty between the United States and the Colombian government. The Nipsic will sale at an early day for Panama. The government is determined to commence this work at once and to prosecute it with vigor. In accordance with the terms of the treaty the expense of surveys and location, as well as the construction of the canal, are to be borne by the United States. In consideration of this our government is to have exclusive control of the canal. It is said that an effort has been made of late by England to get some concessious out of the Colombian gov-ernment, whereby the English would be entitled to certain privileges similar to those enjoyed by the United States, but the terms of the Darien Ship Canal treaty are such that no such proposition could be entertained by the government of Colombia. It is the determination of our government to have sole control of the canal, and it is expected that considerable progress will be made this winter towards completing the surveys and commencing the work of excavation. Statistics of Shipbuilding.

The Secretary of State has informed Hon. John Lynca, Chairman of the Special Committee on Navigation Interest, that he has instructed all our consuls, including those in the Canadian Dominion, to collect and furnish the committee with the information desired by them relative to shipbulining in

United States Supreme Court. No opinions were delivered in the Supreme Court to-day. Several cases were argued, including the steamer Baltimore, the New York and Washington Steamship Company, plaintiff, vs. the owners of the schooner J. W. Wooisteen. This was a case of collision. James Hickman, plaintiff in error, vs. Betts and others. Hickman, a citizen of Alabama, sued the officers of the court and Grand Jury of his county to recover damages for arrest and imprisonment resulting from an indictment found against him for treason against the Confederate government, the ciaim being they were personally liable for wrong done, the authority of the Confederate States being no justification for the injury sustained. The verdict below, under instructions to the jury, was for the defendant. From this an appeal is taken.

The President's New Private Secretary. The President has promoted Robert M. Douglas, son of the late Senator Douglas, to be his private secretary, James T. Ely, of Illinois, taking Douglas former position as assistant private secretary. These changes do not affect General Porter's important position or official relations at the Execu-

Condition of the National Banks. The following is an abstract of the reports made to the Comptroller of the Currency, showing the and Territories at the close of business on the 9th of October, 1869:- RESOURCES.

Loans and discounts	679,517,794
Overdrafts	3,365,312
United States bonds to secure circulation	339,489,100
United States bonds to secure deposits	18,704,000
United States bonds and securitis on hand	25,903,950
Other stocks, bonds and moragages	22, 250, 697
Due from redeeming agents	56,669,563
Due from other national banks	35,393,563
Due from other banks and bankers	8,790,419
Real estate, furniture and fixtures	25, 169, 189
Current expenses	5,646,383
Premiums	2,092,355
Cheeks and other cash items	104,717,642
Bals of national banks	10,779,0 3
Bills of State banks	92.175
Fractional currency	2,090,727
Specie	23,002,408
Legal tender notes	88,719,235
Three per cent certificates	45,485,010
Capital stock Surpius famd Undivided profits. National bank notes outstanding. State bank notes outstanding. Individual deposits United States deposits Deposits of United States disbursing officers. Due to national banks	86,165,334 40,687,301 293,593,645 2,454,697 511,400,197 7,112,647 4,516,648 95,067,893
Due to other banks and bankers	23,849,871
Notes and buls rediscounted	3,839,357
Bilis payable	2,140,363
Total liabilities\$1, The reports were received from 1,618 ban	197,226,694 ks.

The Baton Rouge Arsenal.

The Secretary of War has ordered that the United

States Arsenal at Baton Rouge be discontinued. All the movable ordnance property will be transferred to such points as the Chief of Ordnance may designate. After the bilding is vacated by the Ordnance Department they will be transferred to the custody of the Quartermaster's Department for the use of Cost of the Pacific Railroad Surveys.

It is estimated that the surveys made by the gov-ernment since 1844, with a view to laying out a proper route for a Pacific railroad, have cost over \$8,000,000. This is an item that is never taken into Railroad, though it has a most direct connection.

Personal.

Mrs. Belknap, the wife of the Secretary of War, and family arrived here last Saturday evening with the returning officers of the society of the Army of

Blacque Bey, the Turkish Minister, has been very ill for three or four days. The Marquis De Chamburn, a distinguished French

gentieman, who has resided in this country for several years and is an ardent lover of our repub-lican institutions, has returned to this city accompanied by his accomplished lady, a granddaughter

old Ben Wade turned up here again to-day and is interviewing all the big bugs.
General Martin McMahon, our late Minister to

lamp exploded on the second floor of the premises

No. 199 avenue A. occupied by Kate Flaim, causing no damage.

Paraguay, left here to-night for New York. At half-past nine o'clock last night a kerosene

A WOMAN AVENGED. The Durand Scandal Case Again—The "Woman Scorned" on the Trail of Her Errant Lord-Scourged With a Whip-The Whipper in Ludiow Street Jail. Two weeks ago the HERALD published the first hapter in this suit, which bids fair to become one of the most noted of the family quarrels with which

the calendars of the New York courts are becoming crowded. The plaintiff, Mary Durand, then sought o establish her right to be called the wife of the defendant, Joseph Durand, although she admitted that no marriage ceremony had ever taken place between them, but that they had lived in a state of concubinage for a period of sixteen years, when the defendant sought to discard her; so, for the purpose of defining her legal status, she brought suit and caused the arrest of her errant husband. Upon a motion to have the order of arrest set aside the court held that in the State of New York mar magistrate being legally necessary for its validity. The living and cohabiting together, with the acknowledgments of the parties in the presence of others that they are husband and wife, is all-sufficient to make them so in the eyes of the law; but while so holding, the court also gave its judicial opinion, that for the causes stated in the complaint a wife could not sue her husband, and for this reason the defendant must be discharged from cuscody, and he was odischarged. But to Mrs. Durand one great point had been gained, that of deciding her to be the dehendant's wife, and although she lost that suit she was placed by that decision in a much better position for future operations. She now brings suit number two, and has again caused the arrest and incarceration of her husband in the debtor's juil upon the strength of the statements contained in the following affidavit:—

County of New Fork, w.—Mary Durand, being first duly

incurrentation of her husianal in the debtor's juil upon the strength of the statements contained in the following amidavit:—

County of New York, w.—Mary Durand, being first duly swort, says:—I am paintiff in this action, which I bring to recover damages for following assertion mided in the by this defendant; on the Shit hay of July last past, at 57 Cinton piace, in the city of New York, while I hay sheeping in my bed at about the hour of four o'clock in the morning the defendant violently took me from my bed, and procuring a olatol, which presenting he threatened to dishearge upon me; the pistol was loaded, and I verify believe the defendant then and there produced. I believed that he means to kill me, because on the very atght to ore alluded to, in the presence of a witness, he declared that he would within the meant of the means to kill me, because on the very atght to ore alluded to, in the presence of a witness, he declared that he would within the means of the means of the state of th

Judge McCunn, of the Superior Court, believing

He who lays his hand upon a woman Save in kindness is a brate, Whom it were base flattery to call a man,

Whom it were base flattery to call a man, granted the application of counsellor McCarthy in behalf of the plaintin, and issued the order to accest the defendant, holding him to bail in the sum of \$10,000. Late on saturday evening last beputy Sheriff Lynch again waited upon Mr. Durand, and the bail not being forthcoming he was again escorted to the debtor's jail, to await the action of the courts in his behalf. An application will soon be made to set the order of arrest saile, as before, when the public will have an opportunity of hearing the defendant's side of the question.

## BUNICIPAL AFFAIRS.

Pursuant to adjournment this Board met yester-

day with the President, Alderman Coman, in the chair. After the usual preliminaries had been disposed of the Board concurred in a resolution, passed by the Board of Assistant Aldermen, granting perission to the property owners on 126th street, between Sixth and Seventh avenues, to regu between Sixth and Seventh avenues, to regu-late, and grade that section of the street at their own expense. A resolution was introduced directing that the National Guardsman be made a corpora-tion newspaper. This created a titter of sur-prise among the members of the Board and others present. On motion of Alderman Miller the ques-tion was referred to the Committee on Printing and Advertising, where it is likely to remain in delight-ful obscurity. The Board then adopted resolutions, providing as follows:—For the construction of sewers in 194th street from Third to Fitth avenues: in providing as follows:—For the construction of sewers in 104th street from Third to Fith avenues; in 123d street from First to avenue A; for receiving basin and culvert at the northwest corner of Norfolk and Hesser streets; curb and gutters in Eighty-fourth street from Broadway to Eighth avenue; paving with Belgian pavement—Lafayette place, Seventeenth street, from First avenue to East River; Forsyn street, from Division to Houston street; avenue C, from Houston to Eighteenth street; to pave with Nicoson pavement—Forty-third street, from Madison avenue to Fifth avenue; Fifth avenue, from Fifty-ninth to Ninetieth street; Thirty-seventh street, from Extlit to Seventh avenue; Forty-fifth street, from Extlit to Seventh avenue; Forty-fifth street, from Lexing-ton to Fourth avenue, and Waversey place, from Broadway to Sixth avenue. The veto of the Mayor in relation to paving Howard street, from Broadway to Mercer street with the Seeley pavement, was called up and the resonation adopted over the veto. The Reaf Estate Journal was declared a corporation paper. The petition of the Long Island Bone Laboratory, asking for an increase of the compensation from \$15,000 to \$60,000 for removing offat, &c., from the city, was granted. Donations were made to the New York Magdalen Benevokint Society of \$2,812, and to the Hofman Dispensary of \$1,000. Several other resolutions of minor importance were adopted, after which the Board adjourned to Thursday, at two P. M. Third to Fifth at

Board of Assistant Aldermen. The Board met yesterday afternoon, the President,

Mr. Monaghan, presiding. After the reception of a few routine papers the "general orders" were reached, many of which were resolutions to place gas lamps in certain streets.

The following resolution was concurred in:

The following resolution was concurred in:—
Resolved. That the salary of the Assistant Librarian, Janflor of the City Library, also the salary of the Doorseeper of
the Board of Aldermen and the Doorseeper of the Board of
Assistant Aidermen, be and the salary is the Board of
Assistant Aidermen, be and the salary is the Cierk to the Sun of \$1.800 per annum; also that the salary of the
Cierk to the City Librarian be faced at the salary of the
now paid to the Seventh Assistant Cierk of the Board of Aidermen, to take effect from the girst day of January, eighteen
hundred and sixty-sine, payable monthly, and the Comptanler is hereby directed to pay said lacreases from the appropriations for "Salaries—Legislative Department."

Mr. PINCKNEY opposed the passage of this out-rageous measure by stating that the places of these

rageous measure by stating that the places of these "gentlemen" could be filled for one-third of the sum proposed to be given to them, and they were not satisfied with an increase, but they must have it dated back nearly a year.

A donation of \$10,000 was made to Mary Sebastian, ope of the sisters of St. Bridget's school, to make no extension to their building.

Mr. Roberrs opposed this resolution, observing that such donations ought to be stopped. We mad a public school system and persons who keep private schools ought to be made to construct and repair their buildings. The resolution, however, in the classic language of the City Hall, was "put through."

A donation was made to the President of the Con-

classic language of the City hall, was "putthrough."
A donation was made to the President of the Consisory of the Protestant Reformed Durch Church of
\$255, to enable him to pay an assessment for extending Manison avenue.
The Croton Aqueduce Department was directed to
have 123d street, from First avenue to avenue A,
paved with Beigian pavement.
Three resolutions granting compensation to persons for the loss of their horses by defective and
rotten piers were adopted.
After receiving a few papers from the Aldermenthe Bo and adjourned till Thursday.

## PORT JERVIS MURDERER.

At the Court of Oyer and Terminer for the county of Orange, convened here on Monday morning Mr. Joseph F. Barnard, of Poughkeepsie, presiding judge. Warren Fellows, the Port Jersis murderer, was arraigned and pleaded not guilty to the indictment of murder found against him at the September sessions. The trial of the case was put over to the January Oyer and Terminer. Fellows counsel are David F. Gedney, George W. Greene, Member of Congress; Thomas J. Lyon and George Clawson. For the people are S. W. Fullerton and C. H. Winfield.